

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

Petition of Ameritech for Forbearance)
 from Dominant Carrier Regulation of its)
 Provision of High Capacity Services in)
 the Chicago LATA)

CC Docket No. 99-65

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**OPPOSITION OF THE
 COMPETITIVE TELECOMMUNICATIONS ASSOCIATION**

The Competitive Telecommunications Association ("CompTel"),¹ by its attorneys, hereby opposes the petition of Ameritech for forbearance from dominant carrier regulation in the provision of high capacity special access and dedicated transport for switched access in the Chicago LATA.² By its petition, Ameritech requests forbearance from the Commission's Part 61 and Part 69 rules that apply to Ameritech's provision of special access and dedicated transport in the Chicago LATA.

Ameritech's petition comes on the heels of essentially similar petitions filed previously by U S WEST, SBC, and Bell Atlantic, and Ameritech's petition suffers from defects similar to those found in the other Bell Operating Company ("BOC") petitions. At the outset, Ameritech's petition fails to meet the forbearance criteria set forth in section 10 of the Act. Indeed, through its control of bottleneck facilities, Ameritech continues to possess market power in the special access and dedicated transport markets, which could enable Ameritech to engage in

¹ CompTel is the principal national industry association representing competitive telecommunications carriers and their suppliers. CompTel's more than 330 members include large national carriers as well as scores of regional carriers.

² Petition of Ameritech for Forbearance from Dominant Carrier Regulation of its Provision of High Capacity Services in the Chicago LATA, CC Docket No. 99-65 (rel. Feb. 16, 1999).

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March 29, 1999

Ms. Magalie Roman-Salas
Office Of The Secretary,
Federal Communications Commission
445 12th Street S.W.; TW-A325
Washington D.C. 20554

99-8

Dear Ms. Roman-Salas:

Enclosed please find an original and five copies of my Reply Comments to the proposed rule making for the addition to the FM table of allotments of channel 247A in Mt. Washington, New Hampshire. I appreciate your consideration of this matter.

Please direct any questions regarding this matter to the undersigned. Thank you.

Sincerely,



Barry P. Lunderville
20 Middle Street.
Lancaster, NH 03584
603-788-3636

*note: Barry P. Lunderville is the Licensee of Station WXXS-FM,
Lancaster, New Hampshire.

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Federal Communications Commission
Washington, DC 20554

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In Re:

Amendment of Section 73.202(b))
Table of Assignments) MM Docket 99-8.
FM Broadcast Stations) RM-9433
Mt. Washington, New Hampshire, &)
Newry, Maine.

To: Chief, Allocations Branch

Reply Comments to Proposal for new FM, Mt. Washington, New
Hampshire

Barry P. Lunderville recently proposed, During the comment period for a proposal to allot channel 247A to Mt. Washington, New Hampshire, that the FCC make the following addition to the FM table of allotments:

ADD Channel 247A, Newry, Maine, as the community's first local Commercial FM service.

Coordinates: 44-31-10 NL and 70-49-28 WL

This proposal will bring first service to the community of Newry, Maine, an incorporated town in Oxford County, Maine, with a population of 316 persons. The Post Office in North Newry, was used in the spacing table attached demonstrating domestic clearance to all current operating facilities and proposals. Canadian concurrence in the allotment as a specially negotiated short-spaced allotment is required since Newry is located within 320 kilometers (200 miles) of the U.S. Canadian border. The petitioner notes the presence of an unused Canadian allotment on the proposed channel (247C1) at Thetford-Mines, Quebec, Canada, and respectfully requests the Commission to negotiate a short spaced allotment with the Canadian Government. The petitioner states that he will, if the Commission makes this assignment, apply for and build the subject station in a timely manner.

Additional Comments In Reply:

If the Commission were to allot channel 247A to Newry, Maine, the public interest might best be served because it would provide "first service" to the community of Newry, but also because Mt. Washington, New Hampshire, is just that....a mountain. in fact it is the highest mountain on the East Coast, and has the distinction of having recorded the highest wind speed and the lowest temperature. Mt. Washington is not a "Census Designated Place",

NOTICE OF SERVICE

I hereby certify that a copy of the foregoing "counterproposal" has been served by US First Class Mail, postage prepaid on the 30th day of March, 1999, upon the following parties:

Dana Puopolo
37 Martin St.
Rehoboth, MA 02769-2103

Barry P. Linderelle
3/29/99